

Virginia Stationary Source Operating Permit

Until such time as this permit is reopened and revised, modified, revoked, terminated or expires, the permittee is authorized to operate in accordance with the terms and conditions contained herein. This permit is issued under the authority of Title 10.1, chapter 13, ' 10.1-1322 of the Air Pollution Control Law of Virginia. This permit is issued consistent with the Administrative Process Act, and 9 VAC 5-80-50 through 9 VAC 5-80-305 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution of the Commonwealth of Virginia.

<u>Permit Number</u>	<u>Effective Date</u>	<u>Expiration Date</u>
PRO-50292	January 9, 2002	January 9, 2007

Authorization to operate a Stationary Source of Air Pollution as described in this permit is hereby granted to:

Permittee Name:	Brenco Incorporated
Mailing Address:	P.O. Box 389 Petersburg, VA 23804
Facility Name:	Brenco Incorporated
Facility Location:	Petersburg Industrial Park, Petersburg, VA

Permit Issued this 9th day of January, 2002

David A. Johnson, Director, Department of Environmental Quality

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I. Facility Information

Permittee/Facility

Brenco Incorporated
P.O. Box 389
Petersburg, VA 23804

Responsible Official

Craig M. Norris
Vice President of Engineering
(804) 751-0252

Contact person

George Karalus
Environmental Engineer
(804) 751-0252

AIRS Identification Number: 51-053-0048

Facility Description:

The facility is a manufacturer of tapered roller bearings for the railroad industry and automotive transmission components (SICs 3562, 3499, and 3462). Manufacturing of tapered roller bearings includes hot forging, cold forming, heat treating, machining and grinding, seal production, and final assembly. Phosphating lines are used for washing parts to remove metal fines and as surface preparation. Phosphate coated seals are conveyed through a dip tank containing MEK, toluene, carbon black, and a liquid adhesive material. Natural gas is used as the fuel for process heaters in the hot forming, heat treating, and phosphating operations.

II. Emissions Unit Specific Requirements

A. Insignificant Emission Unit Inventory List

Emission Unit No.	Emission Unit Description	Citation (9 VAC_)	Pollutant Emitted (5-80-720 B.)	Rated Capacity (5-80-720 C.)
Miscellaneous parts washers	Parts washing	5-80-720 B	VOC	N/A
Quality Bearing Service Facility Paint Booth	Paint Spray Booth	5-80-720 B	VOC	N/A

B. Significant Emissions Unit Inventory List

1. Process Units

PLANT #1

- one Gleason quench tank rated at 400 lbs/hr (ref. #He1007)
- nine RT pit carburizer furnaces with maximum rated heat input capacities of 1.2 MMBtu/hr each (#Ho1001-Ho1009);
- four reagent gas generators with maximum rated heat input capacities of 0.4 MMBtu/hr each (#Ho1011-Ho1014);
- two roller carburizer & Wash units with maximum rated heat input capacities of 0.8 MMBtu/hr each (#Ho1015-Ho1016);
- one roller hardner with a maximum rated heat input capacity of 0.7 MMBtu/hr (#Ho1017);
- Rotary system #1 with one Gleason quench tank (#Ho1019) rated at 650 lbs/hr and two rotary furnaces (#Ho1018, Ho1020) with maximum rated heat input capacities of 1.3 MMBtu/hr each;
- Rotary system #2 with one Gleason quench tank (#Ho1022) rated at 650 lbs/hr and two rotary furnaces (#Ho1021, Ho1023) with maximum rated heat input capacities of 1.3 MMBtu/hr each;
- one Rockwell furnace (#Ho1028);
- one Rockwell draw oven (#Ho1030);
- Rotary system #3 with one Gleason quench tank (#Ho1032) rated at 650 lbs/hr and two rotary furnaces (#Ho1031, Ho1033) with maximum rated heat input capacities of 1.3 MMBtu/hr each;
- Rotary system #4 with one Gleason quench tank (#Ho1034) rated at 650 lbs/hr and two rotary furnaces (#Ho1036, Ho1035) with maximum rated heat input capacities of 1.3 MMBtu/hr each;
- one roller hardner draw with a maximum rated heat input capacity of 0.7 MMBtu/hr (#Ho1042);
- Rotary system #5 with one Gleason quench tank (#Ho1046) rated at 650 lbs/hr and two rotary furnaces (#Ho1045, Ho1047) with maximum rated heat input capacities of 1.3 MMBtu/hr each;
- one phosphate line rust proof with a maximum rated heat input capacity of 50,000 Btu/hr (#Po1032);
- one phosphate line dip area with a maximum rated heat input capacity of 2.65 MMBtu/hr (#Po1032); and

- one phosphate line wash area with a maximum rated heat input capacity of 2.65 MMBtu/hr (#Po1032).

PLANT #2

- one muffle furnace with a maximum rated heat input capacity of 450 Btu/hr (#ZJ2003);
- one muffle furnace with a maximum rated heat input capacity of 730 Btu/hr (#ZJ2004); and
- one muffle furnace with a maximum rated heat input capacity of 0.12 MMBtu/hr (#ZJ2006).

PLANT #3

- one batch furnace with a maximum rated heat input capacity of 1000 Btu/hr (#ZJ2005);
- three reagent gas generators with maximum rated heat input capacities of 0.4 MMBtu/hr each (#Ho3001-Ho3003);
- one roller hardner system with a maximum rated heat input capacity of 850 Btu/hr (#Ho3010);
- one RT roller hardner system with a maximum rated heat input capacity of 350 Btu/hr (#Ho3011);
- one double retort with a maximum rated heat input capacity of 3300 Btu/hr (#Ho3012);
- one RT hardner system #1 with a maximum rated heat input capacity of 350 Btu/hr (#Ho3016);
- seven RT pit carburizer furnaces with maximum rated heat input capacities of 1.2 MMBtu/hr each (#Ho3018-Ho3024);
- one RT hardner system #2, washer and draw furnace, with a maximum rated heat input capacity of 350 Btu/hr (#Ho3028);
- one RT hardner system #1, quench press rated at 650 lbs/hr (#Ho3029);
- one RT hardner system #1 with a maximum rated heat input capacity of 1.3 MMBtu/hr (#Ho3030);
- one RT hardner system #2 with a maximum rated heat input capacity of 1.3 MMBtu/hr (#Ho3031);
- one RT hardner system #2, quench press rated at 650 lbs/hr (#Ho3032);
- one furnace with a maximum rated heat input capacity of 1.3 MMBtu/hr (#Ho3040);
- one rotary quench press with a maximum rated heat input capacity of 650 lbs/hr (#Ho3041); and
- one draw system with a maximum rated heat input capacity of 350 Btu/hr (#Ho3042).
- one phosphate line with a maximum rated heat input capacity of 5.3 MMBtu/hr.

PLANT #4

- one draw furnace line 1003 with a maximum rated heat input capacity of 3.78 MMBtu/hr (Go4005);
- one draw furnace line 631 with a maximum rated heat input capacity of 3.78 MMBtu/hr (Go4006);
- one draw furnace line 41 with a maximum rated heat input capacity of 14.9 MMBtu/hr (Go4015);
- two preheat furnaces with maximum rated heat input capacities of 1.2 MMBtu/hr each (reference number: I);
- two carburizing furnaces with maximum rated heat input capacities of 7.9 MMBtu/hr each (reference number: II);
- two reheat furnaces with maximum rated heat input capacities of 1.8 MMBtu/hr each (reference number: III);

- two tempering furnaces with maximum rated heat input capacities of 0.5 MMBtu/hr each (reference number: IV);
- two hot wash tanks with maximum rated heat input capacities of 0.5 MMBtu/hr each (reference number: V);
- two carburizing furnaces with maximum rated heat input capacities of 3.0 MMBtu/hr each (reference number: VI); and
- two reheat furnaces with maximum rated heat input capacities of 1.0 MMBtu/hr each (reference number: VII).

PLANT #5

- one MEK line rated at 3000 lbs/hr (Gs5012);
- one phosphate line dip area with a maximum rated heat input capacity of 2.65 MMBtu/hr (Gs5016);
- one phosphate line wash area with a maximum rated heat input capacity of 2.65 MMBtu/hr (Gs5016); and
- one phosphate line wash area with a maximum rated heat input capacity of 0.54 MMBtu/hr (Gs5016).

PLANT #6

- two wash tanks with maximum rated heat input capacities of 0.26 MMBtu/hr each (Bs6001, Bs6002); and
- one Mart Washer with a maximum rate heat input capacity of 0.35 MMBtu/hr.

C. Pollution Control Equipment:

Stack No./ Emission Unit No.	Control Equipment Description	Manufacturer and Date of Construction	Size/Rated Capacity	Pollutant
N/A	None Used at Facility	N/A	N/A	N/A

III. Emission Unit Specific Permit Terms - All natural gas-fired combustion equipment

(Reference Numbers: I-VII; Ho 1001-1009, 1011-1018, 1020-1021, 1023, 1031, 1033, 1035-1036, 1042, 1045, 1047, 3001-3003, 3010-3012, 3016, 3018-3024, 3028-3032, and 3140-3142; Po 1032; ZJ 2003-2006; Go 4005-4006 and 4015; Gs 5016; and Bs 6001-6002)

A. Limitations

1. The approved fuel for the combustion equipment is natural gas. A change in the fuels may require a permit to modify and operate.
(9 VAC 5-80-10 of State Regulations, Condition #4 of the 2/28/01 NSR permit)
2. The combustion equipment shall consume no more than 998.6×10^6 cubic feet of natural gas, calculated monthly as the sum of each consecutive 12 month period.
(9 VAC 5-170-160 of State Regulations, Condition #5 of the 2/28/01 NSR permit)
3. Emissions from the operation of the combustion equipment shall not exceed the limits specified below:

Total Suspended Particulate	0.9 lbs/hr	3.8 tons/yr
PM-10	0.9 lbs/hr	3.8 tons/yr
Sulfur Dioxide	0.1 lbs/hr	0.3 tons/yr
Nitrogen Oxides (as NO ₂)	11.4 lbs/hr	49.9 tons/yr
Carbon Monoxide	9.6 lbs/hr	41.9 tons/yr
Volatile Organic Compounds	0.6 lbs/hr	2.7 tons/yr

(9 VAC 5-50-260 of State Regulations, Condition #7 of the 2/28/01 NSR permit)
4. Visible emissions from the combustion equipment (reference numbers I-VII only) shall not exceed 5 percent opacity. This condition applies at all times except during start-up, shutdown, or malfunction.
(9 VAC 5-170-160 and 9 VAC 5-50-20 of State Regulations, Condition #11 of the 2/28/01 NSR permit)
5. Emissions from the combustion equipment shall be controlled by proper operation and maintenance of combustion equipment. Operators shall be trained in the proper operation of all such equipment. Training shall consist of a review and familiarization of the manufacturer's operating instructions, at minimum. The permittee shall have available good written operating procedures and a maintenance schedule for each combustion device. These procedures shall be based on the manufacturer's recommendations, at minimum. All records required by this condition shall be kept on site and made available for inspection by the DEQ.
(9 VAC 5-170-160 of State Regulations, Condition #12 of the 2/28/01 NSR permit)

B. Periodic Monitoring and Recordkeeping

6. The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content of and format of such records shall be arranged with the Director, Piedmont Region. These records shall include, but are not limited to:
 - a. Monthly and annual throughput of natural gas for the combustion equipment. The annual throughput shall be calculated monthly as the sum of each consecutive 12 month period.
 - b. Records of the emission factors used to calculate the emissions of each pollutant with an emission limitation in Condition #3.
 - c. Records of the training (including a statement of time, place and nature of training provided) and maintenance required by Condition #5.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five years.

(9 VAC 5-50-50 of State Regulations, Conditions #12 and #14 of the 2/28/01 NSR permit)

IV. Emission Unit Specific Permit Terms - All Quenching Equipment

(Reference Numbers: He 1007; Ho 1019, 1022, 1032, 1034, and 1046)

A. Limitations

1. The facility shall consume no more than the following quantities of process chemicals, or their equivalents, each calculated monthly as the sum of each consecutive 12 month period:

Chevron Quench Oil	28.8 lbs/hr	252,450 lbs/yr
Houghton Quench Oil	10.9 lbs/hr	95,606 lbs/yr

Compliance with the hourly throughput limits above shall be determined on a monthly average basis by dividing the quantity of chemicals used in each month by the facility operating hours for each month.

(9 VAC 5-170-160 of State Regulations, Condition #6 of the 2/28/01 NSR permit)

2. Emissions from the quench oil operations shall not exceed the limits specified below:

Volatile Organic Compounds	3.6 lbs/hr	15.7 tons/yr
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Annual emissions shall be calculated monthly as the sum of each consecutive 12 month period.

(9 VAC 5-50-260 of State Regulations, Condition #8 of the 2/28/01 NSR permit)

B. Periodic Monitoring and Recordkeeping

3. The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content of and format of such records shall be arranged with the Director, Piedmont Region. These records shall include, but are not limited to:
 - a. Hourly, monthly and annual throughput of the process chemicals listed in Condition #1. The hourly throughputs shall be calculated as stated in Condition #1, and the annual throughputs shall be calculated monthly as the sum of each consecutive 12 month period.
 - b. Records of the emission factors used to calculate the emissions of each pollutant with an emission limitation in Condition #2

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five years.

(9 VAC 5-50-50 of State Regulations, Condition #14 of the 2/28/01 NSR permit)

V. Facility-wide Requirements

A. Facility Wide Conditions

1. This standard is applicable to all combustion equipment except for emission unit reference numbers I-VII. Unless specified otherwise in this part, on or after the date on which the performance test required to be conducted by 9 VAC 5-50-30 is completed, no owner or other person shall cause or permit to be discharged into the atmosphere from any affected facility any visible emissions which exhibit greater than 20% opacity, except for one six-minute period in any one hour of not more than 30% opacity. Failure to meet the requirements of this section because of the presence of water vapor shall not be a violation of this section.
(9 VAC 5-50-80 of State Regulations)

VI. General Permit Requirements

A. Federal Enforceability

All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.
(9 VAC 5-80-110 N)

B. Permit Expiration

This permit shall become invalid five years from the date of issuance. The permittee shall submit an application for renewal of this permit no earlier than 18 months and no later than six months prior to the date of expiration of this permit. Upon receipt of a complete and timely application for renewal, this source may continue to operate subject to final action by the DEQ on the renewal application.
(9 VAC 5-80-110 D and 9 VAC 5-80-80 F)

C. Recordkeeping and Reporting

1. All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:
 - a. The date, place as defined in the permit, and time of sampling or measurements.
 - b. The date(s) analyses were performed.
 - c. The company or entity that performed the analyses.
 - d. The analytical techniques or methods used.
 - e. The results of such analyses.
 - f. The operating conditions existing at the time of sampling or measurement.
- (9 VAC 5-80-110 F)

2. Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.
(9 VAC 5-80-110 F)
3. The permittee shall submit the results of monitoring contained in any applicable requirement to DEQ no later than **March 1** and **September 1** of each calendar year. This report must be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:
 - a. The time period included in the report. The time periods to be addressed are January 1 to June 30 and July 1 to December 31.
 - b. All deviations from permit requirements. For purposes of this permit, deviations include, but are not limited to:
 - (1) Exceedance of emissions limitations or operational restrictions;
 - (2) Excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or compliance assurance monitoring which indicates an exceedance of emission limitations or operational restrictions; or,
 - (3) Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.
 - c. If there were no deviations from permit conditions during the time period, the permittee shall include a statement in the report that "no deviations from permit requirements occurred during this semi-annual reporting period."

(9 VAC 5-80-110 F)

D. Annual Compliance Certification

Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, the permittee shall submit to EPA and DEQ no later than **March 1** each calendar year a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices. The compliance certification shall comply with such additional requirements that may be specified pursuant to §114(a)(3) and §504(b) of the federal Clean Air Act. This certification shall be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

1. The time period included in the certification. The time period to be addressed is January 1 to December 31.
2. The identification of each term or condition of the permit that is the basis of the certification.
3. The compliance status.

4. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance.
5. Consistent with subsection 9 VAC 5-80-110 E, the method or methods used for determining the compliance status of the source at the time of certification and over the reporting period.
6. Such other facts as the permit may require to determine the compliance status of the source.

One copy of the annual compliance certification shall be sent to EPA at the following address:

Clean Air Act Title V Compliance Certification (3AP00)
U. S. Environmental Protection Agency, Region III
1650 Arch Street
Philadelphia, PA 19103-2029.

(9 VAC 5-80-110 K.5)

E. Permit Deviation Reporting

The permittee shall notify the Director, Piedmont Region within four daytime business hours, after discovery of any deviations from permit requirements which may cause excess emissions for more than one hour, including those attributable to upset conditions as may be defined in this permit. In addition, within 14 days of the discovery, the permittee shall provide a written statement explaining the problem, any corrective actions or preventative measures taken, and the estimated duration of the permit deviation. The occurrence should also be reported in the next semi-annual compliance monitoring report pursuant to General Condition VII.C.3. of this permit. (9 VAC 5-80-110 F.2 and 9 VAC 5-80-250)

F. Failure/Malfunction Reporting

If, for any reason, the affected facilities or related air pollution control equipment fails or malfunctions and may cause excess emissions for more than one hour, the owner shall notify the Director, Piedmont Region within four (4) daytime business hours of the occurrence. In addition, the owner shall provide a written statement, within 14 days, explaining the problem, corrective action taken, and the estimated duration of the breakdown/shutdown. (9 VAC 5-80-250)

G. Severability

The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit. (9 VAC 5-80-110 G.1)

H. Duty to Comply

The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or, for denial of a permit renewal application.
(9 VAC 5-80-110 G.2)

I. Need to Halt or Reduce Activity not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
(9 VAC 5-80-110 G.3)

J. Permit Action for Cause

1. This permit may be modified, revoked, reopened, and reissued, or terminated for cause as specified in 9 VAC 5-80-110 L, 9 VAC 5-80-240 and 9 VAC 5-80-260. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
(9 VAC 5-80-110 G.4)
2. Such changes that may require a permit modification and/or revisions include, but are not limited to, the following:
 - a. Erection, fabrication, installation, addition, or modification of an emissions unit (which is the source, or part of it, which emits or has the potential to emit any regulated air pollutant), or of a source, where there is, or there is potential of, a resulting emissions increase;
 - b. Reconstruction or replacement of any emissions unit or components thereof such that its capital cost exceeds 50% of the cost of a whole new unit;
 - c. Any change at a source which causes emission of a pollutant not previously emitted, an increase in emissions, production, throughput, hours of operation, or fuel use greater than those allowed by the permit, or by 9 VAC 5-80-11, unless such an increase is authorized by an emissions cap; or any change at a source which causes an increase in emissions resulting from a reduction in control efficiency, unless such an increase is authorized by an emissions cap;
 - d. Any reduction of the height of a stack or of a point of emissions, or the addition of any obstruction which hinders the vertical motion of exhaust;
 - e. Any change at the source which affects its compliance with conditions in this permit, including conditions relating to monitoring, recordkeeping, and reporting;
 - f. Addition of an emissions unit which qualifies as insignificant by emissions rate (9 VAC 5-

80-720 B) or by size or production rate (9 VAC 5-80-720 C);

- g. Any change in insignificant activities, as defined by 9 VAC 5-80-90 D.1.a(1) and 9 VAC 5-80-720 B and 9 VAC 5-80-720 C.

(9 VAC 5-80-110 G, 9 VAC 5-80-110 J, 9 VAC 5-80-240, and 9 VAC 5-80-260)

K. Property Rights

The permit does not convey any property rights of any sort, or any exclusive privilege.
(9 VAC 5-80-110 G.5)

L. Duty to Submit Information

1. The permittee shall furnish to the Board, within a reasonable time, any information that the Board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Board copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the Board along with a claim of confidentiality.
(9 VAC 5-80-110 G.6)
2. Any document (including reports) required in a permit condition to be submitted to the Board shall contain a certification by a responsible official that meets the requirements of 9 VAC 5-80-80 G.
(9 VAC 5-80-110 K.1)

M. Duty to Pay Permit Fees

The owner of any source for which a permit under 9 VAC 5-80-50 through 9 VAC 5-80-305 was issued shall pay permit fees consistent with the requirements of 9 VAC 5-80-310 through 9 VAC 5-80-355. The actual emissions covered by the permit program fees for the preceding year shall be calculated by the owner and submitted to the Department by **April 15** of each year. The calculations and final amount of emissions are subject to verification and final determination by the Department.
(9 VAC 5-80-110 H and 9 VAC 5-80-340 C)

N. Fugitive Dust Emission Standards

During the operation of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:

1. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;
2. Application of asphalt, oil, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;

3. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or other similar operations;
4. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and,
5. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.

(9 VAC 5-40-90 and 9 VAC 5-50-90)

O. Startup, Shutdown, and Malfunction

At all times, including periods of startup, shutdown, soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Board, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

(9 VAC 5-50-20)

P. Alternative Operating Scenarios

Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions under each such operating scenario. The terms and conditions of each such alternative scenario shall meet all applicable requirements including the requirements of 9 VAC 5 Chapter 80, Article 1.

(9 VAC 5-80-110 J)

Q. Inspection and Entry Requirements

The permittee shall allow DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:

1. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.
2. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.
3. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.
4. Sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

(9 VAC 5-80-110 K.2)

R. Reopening For Cause

The permit shall be reopened by the Board if additional federal requirements become applicable to a major source with a remaining permit term of three years or more. Such reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9 VAC 5-80-80 F.

1. The permit shall be reopened if the Board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
2. The permit shall be reopened if the administrator or the Board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
3. The permit shall not be reopened by the Board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9 VAC 5-80-110 D.

(9 VAC 5-80-110 L)

S. Permit Availability

Within five days after receipt of the issued permit, the permittee shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to DEQ upon request.

(9 VAC 5-80-150 E)

T. Transfer of Permits

1. No person shall transfer a permit from one location to another, unless authorized under 9 VAC 5-80-130, or from one piece of equipment to another.
(9 VAC 5-80-160)
2. In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the Board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9 VAC 5-80-200.
(9 VAC 5-80-160)
3. In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the Board of the change in source name within 30 days of the name change and shall comply with the requirements of 9 VAC 5-80-200.
(9 VAC 5-80-160)

U. Malfunction as an Affirmative Defense

1. A malfunction constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if the conditions of paragraph 2 are met.

2. The affirmative defense of malfunction shall be demonstrated by the permittee through properly signed, contemporaneous operating logs, or other relevant evidence that show the following:
 - a. A malfunction occurred and the permittee can identify the cause or causes of the malfunction.
 - b. The permitted facility was at the time being properly operated.
 - c. During the period of malfunction, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit.
 - d. For malfunctions that occurred for one hour or more, the permittee submitted to the Board by the deadlines described in **Failure/Malfunction Reporting** above, a notice and written statement containing a description of the malfunction, any steps taken to mitigate emissions, and corrective actions taken. The notice fulfills the requirement of 9 VAC 5-80-110 F.2.b to report promptly deviations from permit requirements.
3. In any enforcement proceeding, the permittee seeking to establish the occurrence of a malfunction shall have the burden of proof. The provisions of this section are in addition to any malfunction, emergency or upset provision contained in any requirement applicable to the source.

(9 VAC 5-80-250)

V. Permit Revocation or Termination for Cause

A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if the permittee violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9 VAC 5 Chapter 80 Article 1. The Board may suspend, under such conditions and for such period of time as the Board may prescribe, any permit for any of the grounds for revocation or termination or for any other violations of these regulations.

(9 VAC 5-80-260)

W. Duty to Supplement or Correct Application

Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit.

(9 VAC 5-80-80 E)

X. Stratospheric Ozone Protection

If the permittee handles or emits one or more Class I or II substances subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, the permittee shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F.

(40 CFR Part 82, Subparts A-F)

Y. Accidental Release Prevention

If the permittee has more, or will have more than a threshold quantity of a regulated substance in a process, as determined by 40 CFR 68.115, the permittee shall comply with the requirements of 40 CFR Part 68.
(40 CFR Part 68)

Z. Changes to Permits for Emissions Trading

No permit revision shall be required under any federally approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit.
(9 VAC 5-80-110 I)

AA. Emissions Trading

Where the trading of emissions increases and decreases within the permitted facility is to occur within the context of this permit and to the extent that the regulations provide for trading such increases and decreases without a case-by-case approval of each emissions trade:

- a. All terms and conditions required under 9 VAC 5-80-110, except subsection N, shall be included to determine compliance.
 1. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions that allow such increases and decreases in emissions.
 2. The owner shall meet all applicable requirements including the requirements of 9 VAC 5-80-50 through 9 VAC 5-80-300.

VII. Compliance Certification and Schedule

No Compliance Schedule has been included with this permit.

VIII. Permit Shield

Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable requirements covered by terms and conditions in this permit and the following requirements which have been explicitly deemed to be not applicable to this permitted facility:

Citation	Title of Citation	Description of applicability
None identified	N/A	N/A

Nothing in this permit shield shall alter the provisions of ' 303 of the Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by the (i) administrator pursuant to ' 114 of the Clean Air Act, (ii) the Board pursuant to ' 10.1-1314 or ' 10.1-1315 of the Virginia Air Pollution Control Law or (iii) the Department pursuant to ' 10.1-1307.3 of the Virginia Air Pollution Control Law.
(9 VAC 5-80-140 of State Regulations)